

Jul-21-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JULY 21, 1981
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Mayor Wilson at 8:33 a.m. with no quorum present. A quorum was present at 8:36 a.m. with Councilmembers Schnaubelt, Murphy and Killea not present. The meeting was recessed by Mayor Wilson at 8:36 a.m. into Closed Session in the Twelfth Floor Conference Room on meet and confer. The meeting was reconvened by Deputy Mayor Mitchell at 9:14 a.m. with Mayor Wilson not present. The meeting was recessed by Deputy Mayor Mitchell at 9:50 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Deputy Mayor Mitchell at 2:04 p.m. with Councilmembers Williams, Schnaubelt, Killea and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Mitchell at 3:00 p.m. to convene as the Housing Authority. The Housing Authority was adjourned by Deputy Mayor Mitchell at 3:01 p.m. The Council meeting was reconvened by Deputy Mayor Mitchell at 3:01 p.m. with Mayor Wilson not present. City Manager Ray Blair introduced Don Davis and congratulated him on his recent promotion to Deputy Chief with the Police Department. The meeting was adjourned by Deputy Mayor Mitchell at 4:27 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.
(1) Councilmember Mitchell-present.
(2) Councilmember Cleator-present.
(3) Councilmember Golding-present.
(4) Councilmember Williams-present.
(5) Councilmember Schnaubelt-present.
(6) Councilmember Gotch-present.
(7) Councilmember Murphy-present.
(8) Councilmember Killea-present.
Clerk-Abdelnour (bb/jb)

Jul-21-1981 ITEM-300:

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DESCRIPTION:

Assistant City Clerk Mutascio called the roll:
Mayor Wilson-present.

Councilmember Mitchell-present.
Councilmember Cleator-present.
Councilmember Golding- not present.
Councilmember Williams-not present.
Councilmember Schnaubelt-not present.
Councilmember Gotch-present.
Councilmember Murphy-not present.
Councilmember Killea-not present.

Jul-21-1981 ITEM-330:

DESCRIPTION: (O-82-008) ANNUAL APPROPRIATION ORDINANCE (BUDGET) proposed to adopted for the Fiscal Year 1981-82. (This is the second of two public hearings scheduled pursuant to the provisions of Section 71 of the City Charter which provides that the Annual Appropriation Ordinance shall be adopted during the month of July.) NOTE: The first public hearing was held on July 20, 1981 at 2:00 p.m. Today's action is INTRODUCTION, DISPENSING WITH THE READING AND ADOPTION of an ORDINANCE adopting the ANNUAL BUDGET FOR THE FISCAL

YEAR 1981-82 and APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN

DIEGO FOR SAID FISCAL YEAR.

FILE: MEET

COUNCIL ACTION:

(Tape location: A020-218).

Adopted as Ordinance O-15552 (New Series).

Motion by Cleator to direct the City Manager to establish an in-house staff that would respond to items brought up by the San Diego Taxpayers Association (or by citizens) prior to the implementation and adoption of the budget a year from now and provide Council with a written response. Also review issues relating to the budget format, public hearings, CDBG, CIP, and the exemption of the full cost recovery program from Proposition J limit. Second by Schnaubelt. Passed by the following vote: Yeas-1, 2, 3, 4, 5, 6, 7, 8.

Nays-None. Not present-M.

MOTION BY WILLIAMS TO INTRODUCE THE ORDINANCE, DISPENSE WITH THE READING AND

ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-331:

DESCRIPTION: SAN DIEGO LIGHTING MAINTENANCE DISTRICT NO. 1 - furnishing maintenance for a one-year period ending June 30, 1982 - Resolution of

Intention R-254369:

Subitem-A: (R-81-2232)

CONSIDERING the PROTESTS, ORDERING the DISTRICT FORMED, CONFIRMING the ASSESSMENT and ORDERING PROPOSED MAINTENANCE for the above.

Subitem-B: (R-81-2233)

AWARDING CONTRACTS to the San Diego Gas & Electric Company for the furnishing of ELECTRICAL ENERGY and switching to the San Diego Street Lighting Maintenance District No. 1 for a one-year period.

Subitem-C: (R-81-2234)

Authorizing the EXPENDITURE in the sum of \$297,534 from the GENERAL FUND and \$213,566 from the GAS TAX FUND to SAN DIEGO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 for providing funds for the above; contingent upon adoption of the 1982 Appropriation Ordinance.

FILE: STRT M-52

COUNCIL ACTION:

(Tape location: A283-330)

Subitem-A adopted as Resolution R-254657.

Subitem-B adopted as Resolution R-254658.

Subitem-C adopted as Resolution R-254659.

MOTION BY CLEATOR TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-332:

DESCRIPTION: SCRIPPS-MIRAMAR RANCH LIGHTING AND LANDSCAPE
MAINTENANCE DISTRI

NO. 1 - furnishing maintenance for a one-year period ending June 30, 1982 -

Resolution of Intention R-254371: (Pomerado Community area. DISTRICT-1.)

Subitem-A: (R-81-2228)

CONSIDERING the PROTESTS, ORDERING the DISTRICT FORMED, CONFIRMING the ASSESSMENT and ORDERING PROPOSED MAINTENANCE for the above.

Subitem-B: (R-81-2229)

Authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$15,000 from ENVIRONMENTAL GROWTH FUND 10505 and \$1,800 from GENERAL FUND 100 to SCRIPPS-MIRAMAR RANCH LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 1 FUND

70211 and that said EXPENDITURE is for the purpose of providing the City's contribution to the above; contingent upon adoption of the 1982 Appropriation Ordinance.

FILE: STRT M-53

COUNCIL ACTION: (Tape location: A330-340

Subitem-A adopted as Resolut
R-254660.

Subitem-B adopted as Resolution R-254661. MOTION BY CLEATOR TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt- yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-333:

DESCRIPTION: (R-81-2241) DOWNTOWN STREET TREE MAINTENANCE DISTRICT - furnishing maintenance for one year ending June 30, 1982 - Resolution of Intention No. R-254365. (Centre City Community Area. DISTRICT-8.) Today's action is ADOPTION of a RESOLUTION considering the protests, ordering the district formed, confirming the assessment and ordering the proposed maintenance.

FILE: STRT M-50

COUNCIL ACTION:

(Tape location: A340-400).

Adopted as Resolution R-254662.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-nay. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-334:

DESCRIPTION: TIERRASANTA LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT

- furnishing maintenance for a period of one year ending June 30, 1982
- Resolution of Intention No. R-254373. (Elliott Community Area. DISTRICT-7.)
Today's action is:

Subitem-A: (R-81-2237)

ADOPTION of a RESOLUTION considering the protests, ordering the District formed, confirming the assessment and ordering the proposed maintenance.

Subitem-B: (R-81-2238)

Authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$79,139 from Environmental Growth Fund 10505 and \$13,800 from General Fund 100 to

Tierrasanta Landscape and Lighting Maintenance District Fund 70214, and that EXPENDITURE of funds is authorized for the purpose of providing funds for the City's contribution to the above Maintenance District.

FILE: STRT M-54

COUNCIL ACTION:

(Tape location: A400-440)

Subitem-A adopted as Resolution R-254663.

Subitem-B adopted as Resolution R-254664.

MOTION BY MURPHY TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-335:

DESCRIPTION: REZONING LOT 3, BLOCK 3, LOMA GRANDE, MAP-692 (approximately . acres), located on the east side of Fourth Avenue between Brookes and Walnut Avenues, in the Uptown Community Plan area, from ZONE R-4 to ZONE CO. (Case-5-81-027. DISTRICT-8.) Today's action is:

Subitem-A: (R-81-2483)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-03-20 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-273)

INTRODUCTION of an ORDINANCE for CO Zoning.

FILE: ZONE 7/21/81

COUNCIL ACTION:

(Tape location: A440-485)

Subitem-A adopted as Resolution R-254665.

Subitem-B introduced, to be adopted August 3, 1981.

MOTION BY CLEATOR TO ADOPT SUBITEM-A AND INTRODUCE SUBITEM-B.

Second by

Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-ye

Mayor Wilson-not present.

Jul-21-1981 ITEM-336:

DESCRIPTION:

FILE:

DESCRIPTION:

REZONING a portion of PARCEL A of GENESEE GARDENS ADDITION, MAP-5518 (approximately 2.49 acres), located on the east side of I-163 between Health Center and Mockingbird Drives, in the Serra Mesa Community Plan area, from ZONE R-1-5 to ZONES CO and CN. (Case-5-81-034. DISTRICT-5.) Today's action is:

Subitem-A: (R-81-2484)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-04-14 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-274)

INTRODUCTION of an ORDINANCE for CO and CN Zoning.

FILE: ZONE 7/21/81

COUNCIL ACTION:

(Tape location: A485-530)

Subitem-A adopted as Resolution R-254666.

Subitem-B introduced, to be adopted August 3, 1981.

MOTION BY SCHNAUBELT TO ADOPT SUBITEM-A AND INTRODUCE SUBITEM-B.

Second by

Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-ye

Mayor Wilson-not present.

Jul-21-1981 ITEM-337:

FILE:

DESCRIPTION:

REZONING PARCEL 2 of PARCEL MAP-4763 (approximately 3.06 acres), located on the south side of Carroll Canyon Road between I-15 and Business Park Avenue, in the Scripps Miramar Ranch Community Plan area, from ZONE M- IP to ZONE CA. (Case-5-80-098. DISTRICT-5.) Today's action is:

Subitem-A: (R-82-6)

Adoption of a RESOLUTION certifying that the information contained in

ENVIRONMENTAL IMPACT REPORT EIR-73-6-1024 and the TWENTY-FOURTH AMENDMENT,
thereto has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report and the twenty-fourth amendment, thereto, have been reviewed and considered by the Council.

Subitem-B: (O-82-3)
INTRODUCTION of an ORDINANCE for CA Zoning.

Subitem-C: (R-82-)
Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-73-6-1024 and the TWENTY-FOURTH AMENDMENT, thereto.
FILE: ZONE 7/21/81
COUNCIL ACTION:
(Tape location: D181-268)

Subitem-A adopted as Resolution R-254669.

Subitem-B introduced to be adopted August 3, 1981.

Subitem-C adopted as Resolution R-254670.
The hearing began at 3:40 p.m. and halted at 3:51 p.m.
MOTION BY SCHNAUBELT TO CLOSE THE HEARING, ADOPT SUBITEMS-A AND C AND
INTRODUCE SUBITEM-B. Second by Cleator. Passed by the following vote:
Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-338:

DESCRIPTION: (R-81-2176) Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the MARINA "D" BLOCKS UNDERGROUND UTILITY DISTRICT.
(Centre City Community Area. DISTRICT-8.)
FILE: STRT K-124
COUNCIL ACTION:
(Tape location: D270-295).
Adopted as Resolution R-254671.
The hearing began at 3:51 p.m. and halted at 3:53 p.m.
MOTION BY KILLEA TO CLOSE THE HEARING AND ADOPT. Second by Williams.
Passed
by the following vote: Mitchell-yea. Cleator-yea. Golding-yea.

Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-339:

DESCRIPTION: Four Resolutions relative to CARROLL CANYON CENTRE - ASSESSMENT DISTRICT NO. 3970:

Subitem-A: (R-82-049)

Declaring INTENTION TO ORDER certain public improvements within the City; describing the District to be benefited by the improvements and to be assessed to pay the cost and expense thereof; determining and declaring that Bonds shall be issued to represent unpaid assessments; providing for the use of any surplus amount remaining in the improvement fund after completion of the improvements; and referring the proposed improvements to the CITY MANAGER to make and file a written report.

Subitem-B: (R-82-050)

APPROVING A REPORT prepared pursuant to the Municipal Improvement Act of 1913; FIXING THE TIME AND PLACE for hearing protests and objections thereto; determining whether the public convenience and necessity requires such work and improvements; and GIVING NOTICE of said hearing.

Subitem-C: (R-82-051)

Directing the CITY CLERK to GIVE NOTICE inviting SEALED BIDS and PROPOSALS for CONSTRUCTION WORK.

Subitem-D: (R-82-054)

Authorizing the execution of an AGREEMENT with Stone & Youngberg for the NEGOTIATED SALE and PURCHASE of SPECIAL ASSESSMENT BONDS. (See City Manager

Report CMR-81-297. Mira Mesa Community Area. DISTRICT- 5.)

FILE: STRT D-2227

COUNCIL ACTION:

(Tape location: C180- D180)

Subitem-A adopted as Resolution R-254672.

Subitem-B adopted as Resolution R-254673.

Subitem-C adopted as Resolution R-254674.

Subitem-D adopted as Resolution R-254675.

MOTION BY SCHNAUBELT TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-S403:

DESCRIPTION: Matter of NEGOTIATING an AGREEMENT for a CONCERT on FIESTA ISLAND.

FILE: MEET

COUNCIL ACTION:

(Tape location: D296- E150).

Approved.

Testimony in favor by Mike Thorsnes and Dex Allen.

MOTION BY SCHNAUBELT TO APPROVE. Second by Williams. Passed by the following vote: Mitchell-nay. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-nay. Killea-nay. Mayor Wilson-not present.

Jul-21-1981 ITEM-S500:

DESCRIPTION: (Continued from the Meeting of July 13, 1981 at Councilman Gotch's request.) Three Resolutions relative to SHASTA STREET: (A parcel map is involved. Pacific Beach/Mission Bay area. DISTRICT-6.)

Subitem-A: (R-81-2209)

VACATING SHASTA STREET between Fortuna Avenue, northerly, and Roosevelt Avenue, southerly, adjacent to LOTS 30 through 48, BLOCK 16 and LOTS 1 through 19 and a portion of LOT 20, BLOCK 17, FORTUNA PARK ADDITION, MAP-894 on Resolution of Intention R-254431.

Subitem-B: (R-81-2210)

Approving the acceptance by the CITY MANAGER of OPEN SPACE EASEMENT DEED of Friends of Handicapped Children, granting to City an OPEN SPACE EASEMENT over and through SHASTA STREET VACATED, between Fortuna Avenue northerly and Roosevelt Avenue southerly.

Subitem-C: (R-81-2207)

Approving the acceptance by the CITY MANAGER of EASEMENT DEED of Friends of Handicapped Children, granting to City an EASEMENT for PUBLIC STREET PURPOSES over, along and across portions of LOTS 20 through 23, BLOCK 17 of FORTUNA PARK ADDITION, MAP-894; dedicating said land as and for a public street and naming the same SHASTA STREET.

FILE: STRT

Subitem A, J-2381 DEED F-997,

Subitem B, DEED F-999,

Subitem C,
DEED F-1000

COUNCIL ACTION:

(Tape location: B012- C150)

Filed.

Testimony in favor by Allen Booth, Susan McAdams and Fran Butler.

Testimony in opposition by Ann Merrill, Helen Anderson and Richard Lamb.

MOTION BY GOTCH TO NOTE AND FILE. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ITEM-S501:

DESCRIPTION: Two Resolutions relative to MISSION VALLEY PROPERTY DEVELOPMENT

(See City Manager Report CMR-81-283. Located northeasterly of the intersection of Interstates 8 and 805 in the Mission Valley area.

DISTRICT-5.)

Subitem-A: (R-82-58)

Authorizing the execution of a PERMIT with the United States Department of the Army in accordance with the requirements of Section 404 of the Federal Water Pollution Control Act, pursuant to which permit the City, under specified conditions, will be allowed to cause the FILLING and DEVELOPMENT of approximately 2.30 acres of land in and adjacent to the San Diego River, southerly of Camino del Rio North, west of Milly Way; authorizing the execution of an AGREEMENT RESTRICTING USE OF LAND with the Fish and Wildlife Service, United States Department of the Interior, under the terms of which the City will be allowed to cause the FILLING and DEVELOPMENT of the above-described land in consideration of which the City agrees to cause the development of wetlands to replace the wetlands to be filled and developed and to restrict a total of 11.3 acres of Water Utilities land in and near the San Diego River as wetlands habitat; authorizing the execution of an AGREEMENT with LPI/San Diego Associates, Ltd. which agreement will require LPI to IMPROVE and MAINTAIN the RIPARIAN HABITAT on certain lands north of Camino del Rio North.

Subitem-B: (R-82-60)

Directing the CITY MANAGER and PLANNING DIRECTOR to proceed with the DEVELOPMENT of WETLANDS MANAGEMENT PLAN and program for the San Diego River

westerly of Friars Road; declaring that the goals and objectives of said

Wetlands Management Plan be included in the Community Plan text and that the qualitative and quantitative improvement of wetlands within and along the San Diego River be accomplished through implementation of the Community Plan in accordance with the Wetlands Management Plan; preserving City-owned property referred to as PARCEL C, lying between the floodway zone and Camino del Rio North, from any development consideration pending the completion of the Management Plan.

COMMITTEE ACTION:

Reviewed by PFR on 7/8/81. Recommendation to approve the City Manager's recommendations in CMR-81-283. Districts 2, 3, 5 and 7 voted yea. District 6 not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: A218-283)

Subitem-A adopted as Resolution R-254667.

Subitem-B adopted as Resolution R-254668.

MOTION BY MURPHY TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jul-21-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

MOTION BY WILLIAMS TO ADJOURN IN HONOR OF THE MEMORY OF JO LUECKE, AN ACTIVE RANCHO BERNARDO COMMUNITY MEMBER WHO RECENTLY PASSED AWAY, AND MR. RICHARD F.

POURADE WHO DIED ON MONDAY, JULY 20, 1981. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.